

3751

PATENT  
CUSTOMER NUMBER: 22,852  
Attorney Docket No. 5725.0701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application: ) Group Art Unit: 3751  
Application No.: 09/899,182 )  
Filed: July 6, 2001 )  
Reissue of U.S. Patent No.: 5,918,994 )  
Inventor: Jean-Louis H. Gueret )  
Issued: July 6, 1999 )  
For: NOTCHED BRUSH AND MAKE-UP )  
DEVICE INCLUDING THIS BRUSH )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of this application and, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits.

Copies of the listed documents are attached. Also enclosed is a copy of a French Search Report from a counterpart French application and a copy of an EPO Search Report from a counterpart European application.

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OCT - 4 2001

TECHNOLOGY CENTER R3700

With respect to the non-English language documents, Applicant submits the following remarks:

1. **FR 2 605 505** - An English language abstract of this document is submitted herewith. Additionally, this reference is believed to be a counterpart of U.S. Patent No. 4,898,193, a copy of which is enclosed herewith.
2. **FR 2 715 038** - An English language abstract of this document is submitted herewith. Additionally, this reference is believed to be a counterpart of U.S. Patent No. 5,542,439, a copy of which is enclosed herewith.
3. **JP 5-88410** - This reference was cited during prosecution of the application leading to U.S. Patent No. 5,918,994, (i.e., U.S. Application No. 08/863,193), for which reissue is being sought via the present application.
4. **JP 6 237818** - An English language abstract of this reference is attached.
5. **JP 8-33518** - An English language abstract of this document is submitted herewith. Additionally, this reference is believed to be a counterpart of U.S. Patent No. 5,542,439, a copy of which is enclosed herewith.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines

that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

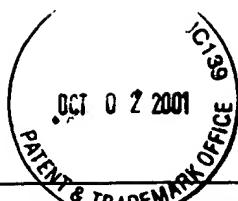
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**INFORMATION DISCLOSURE CITATION**  
**(Use several sheets if necessary)**

| Atty. Docket No. 5725.0701   |   | Application No. 09/899,182 |                 |   |                      |                            |  |
|--|---|----------------------------|-----------------|---|----------------------|----------------------------|--|
| Applicant  | Jean-Louis H. Gueret                      |                            |                 |   |                      |                            |  |
| Filing Date  | July 6, 2001                              |                            | Group: 3751     |   | Examiner: Unassigned |                            |  |
| <b>U.S. PATENT DOCUMENTS</b>   |   |                            |                 |   |                      |                            |  |
| Examiner Initial*  | Document Number                           | Date                       | Name            | Class   | Sub Class            | Filing Date If Appropriate |  |
|  | 4,365,642                                 | 12/1982                    | Costa           |   |                      |                            |  |
|  | 4,586,520                                 | 5/1986                     | Brittain        |   |                      | RECEIVED                   |  |
|  | 4,635,659                                 | 1/1987                     | Spatz           |   |                      | OCT - 4 2001               |  |
|  | 4,898,193                                 | 2/1990                     | Gueret          |   |                      | TECHNOLOGY CENTER R3700    |  |
|  | 5,224,787                                 | 7/1993                     | Vasas           |   |                      |                            |  |
|  | 5,357,987                                 | 10/1994                    | Schrepf         |   |                      |                            |  |
|  | 5,542,439                                 | 8/1996                     | Gueret          |   |                      |                            |  |
|  | 5,551,456                                 | 9/1996                     | Hartel          |   |                      |                            |  |
|  | 5,595,198                                 | 1/1997                     | Kemmerer        |   |                      |                            |  |
| <b>FOREIGN PATENT DOCUMENTS</b>  |   |                            |                 |   |                      |                            |  |
|  | Document Number                           | Date                       | Country         | Class   | Sub Class            | Translation Yes or No      |  |
|  | 2 605 505                                 | 4/1988                     | France          |   |                      | English Abstract           |  |
|  | 2 715 038                                 | 7/1995                     | France          |   |                      | English Abstract           |  |
|  | 5-88410                                   | 12/1993                    | Japan           |   |                      | NO                         |  |
|  | 6-237818                                  | 8/1994                     | Japan           |   |                      | English Abstract           |  |
|  | 8-33518                                   | 2/1996                     | Japan           |   |                      | English Abstract           |  |
|  | 2 170 996 A                               | 8/1986                     | Great Britain   |   |                      | N/A                        |  |
| <b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>  |   |                            |                 |   |                      |                            |  |
|  | English Language Abstract of JP 6-237818  |                            |                 |   |                      |                            |  |
|  | English Language Abstract of FR 2 605 505 |                            |                 |   |                      |                            |  |
|  | English Language Abstract of FR 2 715 038 |                            |                 |   |                      |                            |  |
|  | English Language Abstract of JP 8-33518   |                            |                 |   |                      |                            |  |
| Examiner   |   |                            | Date Considered |   |                      |                            |  |
| <p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> |   |                            |                 |   |                      |                            |  |
| Form PTO 1449  |   |                            |                 | Patent and Trademark Office - U.S. Department of Commerce |                      |                            |  |